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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Megumi Umezawa

33837

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7590

01/31/2006

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EXAMINER

DAVIS, ZACHARY A

ART UNIT

PAPER NUMBER

2137

DATE MAILED: 01/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<p align="center">Office Action Summary</p>	Application No. 09/917,986	Applicant(s) UMEZAWA ET AL.	
	Examiner Zachary A. Davis	Art Unit 2137	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 6 and 7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6 and 7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 13 October 2005 has been entered.
2. By the above amendment, Claims 1 and 4 have been amended. Claim 5 has been canceled. New Claim 7 has been added. Claims 1-4, 6, and 7 are currently pending in the present application.

Response to Arguments

3. Applicant's arguments with respect to claims 1-4 and 6 have been considered but are moot in view of the new ground(s) of rejection.
4. The Examiner notes that Applicant states that in response to the Applicant's previous arguments, "the Examiner stated that the claimed limitation in original claim 5 was not limited to cancellation of a single digit", and Applicant further asserts that "it appears from the Examiner's statement that the Examiner implied that a limitation

directed towards the cancellation of a single digit would not be obvious and therefore patentable.” The Examiner points out that the statement that claim 5 was not limited to cancellation of a single digit, taken in context with the argument as a whole, was merely intended to point out what was encompassed by the language of the claim. No implication of allowable subject matter was intended by such arguments. See below regarding the new grounds of rejection.

5. The Examiner additionally notes that Applicant’s response is not considered to be fully responsive under 37 CFR 1.111(b). Specifically, Applicant’s response must reply to every ground of objection and rejection in the prior Office action, and must present arguments pointing out the specific distinctions believed to render the claims, including any newly presented claims, patentable over any applied references.

Applicant has not presented any arguments specifically in reference to Claims 2-4 and 6, nor has Applicant presented any arguments regarding newly presented Claim 7.

However, given that Applicant has at least argued regarding independent Claim 1, the Examiner has considered the present response to be a *bona fide* attempt to advance the prosecution of the present application; therefore, the present amendment and arguments have been considered. As noted above, new grounds of rejection are detailed below.

Claim Rejections - 35 USC § 112

6. The rejection of Claim 4 under 35 U.S.C. 112, second paragraph, as indefinite is withdrawn in light of the amendment to the claim.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-4, 6, and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miller et al, US Patent 5061923, in view of Will, US Patent 5825353.

In reference to Claim 1, Miller discloses an input apparatus including a dial unit for inputting alphanumeric characters via rotating operation and generating an electric signal, where the characters are assigned in proportion to rotation angle of the dial and where the dial gives the user a click feel per unit rotation (Figure 3, Dial 12; column 2, lines 22-26; column 4, lines 33-37); a unit for confirming characters input by the dial unit; a unit for converting the electric signal into the characters (Figure 3, Microprocessor 16 and Stepper Motor/Generator 14; column 4, lines 33-37); and a unit for authenticating the characters by checking if they match the appropriate characters of the identification information (column 4, line 59-column 5, line 4). However, although

Miller discloses that the dial is similar to that of a traditional lock (column 1, lines 51-55) and it is well-known that the entire combination input can be reset in a traditional lock, Miller does not explicitly disclose a cancellation unit canceling a single input digit.

Will discloses an interface including a dial and rotary encoder (column 6, lines 2-18) that can be used for entering alphanumeric characters (column 7, line 62-column 8, line 10). Will further discloses a backspace function that cancels a single input digit (column 8, lines 18-21). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the apparatus of Miller to include the backspace functionality as disclosed by Will, in order to allow for simple and effective control of input of alphanumeric data (see Will, column 2, lines 31-43).

In reference to Claim 2, Miller and Will further disclose specifying a procedure for converting the signal to characters and performing the conversion in accordance with the procedure (see Miller, column 4, lines 35-37 and 59-62; column 5, lines 31-53).

In reference to Claims 3 and 4, Miller and Will further disclose confirming characters when the dial is rotated in the reverse direction, specifically that the direction of rotation is reversed after each input character (see Miller, column 1, lines 51-55, where the dial is similar in operation to traditional prior art combination locks, which operate in such a manner; see also column 5, lines 18-30, specifically describing directional arrows A_1 and A_2).

In reference to Claim 6, Miller and Will further disclose a display unit (see Miller, Figure 3, Display Unit 35, and Will, Figure 1, display 2).

In reference to Claim 7, Miller and Will further disclose canceling multiple input digits (see Miller, column 1, lines 51-55, where the dial is similar in operation to traditional prior art combination locks, which can reset the input; see also Will, column 8, line 21 and lines 31-33, where a clear function is described).

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Justice et al, US Patent 4044380, discloses an encoder system that includes switches for canceling the input of individual characters and of entire words.
- b. Shima, US Patent 5847693, discloses an interface in which digits of code entries are input by multiple button presses, and individual digit entries can be cancelled.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zachary A. Davis whose telephone number is (571) 272-3870. The examiner can normally be reached on weekdays 8:30-6:00, alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (571) 272-3865. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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EMMANUEL L. MOISE
SUPERVISORY PATENT EXAMINER